REMARKS

Initially, Applicants would like to thank the Examiner for the courtesies extended during the recent interview held on August 4, 2004. The claim amendments made by this paper are consistent with the proposals discussed during the interview.

Initially, it will be noted that the election of Group I, corresponding to claims 1-18, is reaffirmed by this amendment. The remaining claims, 19-48 are hereby cancelled without prejudice. By this paper, claims 1 and 11 (the only independent claims at issue) have been amended and new dependent claims 49-60 have been added[1]. Accordingly, claims 1-18 and 49-60 now remain pending for examination.

In the first Office Action, mailed June 8, 2004, claims 1-18 were all rejected in part based on Logan (U.S. Patent No. 5,721,827) and or Cannon (U.S. Patent No. 6,286,005)[2].

During the interview, Applicants distinguished the claimed invention from Logan and Cannon and proposed amendments to the claims that would even more clearly distinguish the invention from the art of record. In particular, Applicants proposed amendments that would define and describe how the weights of advertisements are used by the current invention to achieve a particular advertising impression goal.

These proposed claim amendments, which were discussed with the Examiner, were found to overcome the rejections of record, as reflected in the interview summary. It was discussed that these claim amendments would distinguish the claims over the art of record, inasmuch as it does not appear that any of the cited references disclose or suggest using weights that are used to determine an order and frequency to display advertisements during a defined period of time and that are also defined by an advertising impression goal divided by a total number of available impressions for a defined target criteria. Even more particularly, the cited art does not appear to teach that such advertisements are displayed, according to their weight, in such a way as to satisfy the advertising impression goal, and in such a way that the advertisements are displayed

[1] Support for the claim amendments and new claims is found throughout the specification, including, but not limited to, paragraphs 58, 61-62, 80, and 91-95; as well as Table 1 and Figures 5-7 (as generally discussed at the interview).

[2] Claims 1-11 were also rejected for indefiniteness. However, as discussed during the interview, this rejection was improper. Accordingly, although the preamble has been amended by this response, it should be appreciated that this amendment has been made to improve the clarity of the recited language and not for reasons of patentability.

in an order and frequency defined by the weight of the advertisement relative to one or more other advertisements, as recited in the claims.

It was also discussed how other concepts of the present invention do not appear to be taught or suggested by the art of record, some of which are now presented in dependent claim format. For example, one other aspect of the invention, which is not disclosed or suggested by the art of record, is the fact that the weight of the advertisement can be adjusted to implement the plan after it is received by the receiver module. (claims 54, 60)

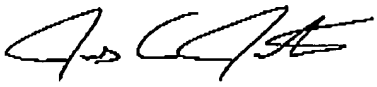
The cited art also fails to disclose or suggest that criteria passed with the advertisements define durations of time during which the advertisements are displayed within the defined period of time (claims 53, 59) or how said criteria can also designate where an advertisement is displayed within the screen of an EPG, video or game (claims 49-51 and 55-57).

Accordingly, for at least the foregoing reasons, Applicants respectfully submit that the pending claims are distinguished over the art of record and are now in condition for prompt allowance.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 20 day of August 2004.

Respectfully submitted,



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